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McMahon, C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES TANCREDI,

Plaintiff,

-against-

NATIONAL RAILROAD PASSENGER CORPORATION,

Defendant.

Index No.: 15cv05469

**STIPULATION OF
DISCONTINUANCE
WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record appearing in the above-captioned matter, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservator, that this action is hereby discontinued, without prejudice and without costs to any part as against the other.

IT IS FURTHER STIPULATED AND AGREED that the statute of limitations for any claims asserted herein shall be tolled until the completion of the action in the Supreme Court of the State of New York, County of New York, bearing Index number 160252/2014.

IT IS FURTHER STIPULATED AND AGREED that the plaintiff shall not be barred by the statute of limitations from bringing a new action against Defendant NATIONAL RAILROAD PASSENGER CORPORATION until after the completion of the aforementioned state action plus the amount of time remaining on the statute as of the date of this stipulation.

IT IS FURTHER STIPULATED AND AGREED that all discovery demands that remain outstanding in this action shall be responded to under the aforementioned state action to the extent applicable under state law.

IT IS FURTHER STIPULATED AND AGREED that facsimile signature will be deemed as originals for the purposes of filing this Stipulation with the court.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be filed with the Clerk of the Court without further notice.

Dated: New York, New York
March 30, 2017

CULLEN & DYKMAN LLP

By: 

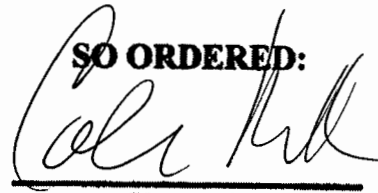
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By: 

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SO ORDERED:


U.S.D.J.

JS

4/4/2017